

6:23cv292, Intellectual Ventures I Llc Et Al V. Zebra Technologies Corporation

US District Court Docket
United States District Court, Texas Western
(Waco)

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Header

Case Number: 6:23cv292
Date Filed: 04/20/2023
Assigned To: Judge Alan D Albright
Nature of Suit: Patent (830)
Cause: Patent Infringement
Lead Docket: None
Other Docket: 6:23cv00068, 6:23cv00290, 6:23cv00291,
6:23cv00293, 6:23cv00307, 6:23cv00308, 6:23cv00309,
USDC Federal Circuit, 24-00141
Jurisdiction: Federal Question

Class Code: Open
Statute: 35:271
Jury Demand: Both
Demand Amount: \$0
NOS Description: Patent

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Proceedings

#	Date	Proceeding Text	Source
1	04/20/2023	COMPLAINT for Patent Infringement (Filing fee \$ 402 receipt number ATXWDC-17338147). No Summons requested at this time, filed by Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Attachments: # 1 Civil Cover Sheet, # 2 Exhibit A - 439 Patent, # 3 Exhibit B - 835 Patent)(Rupp, Karl) (Entered: 04/20/2023)	
2	04/20/2023	Notice of Filing of Patent/Trademark Form (AO 120). AO 120 forwarded to the Director of the U.S. Patent and Trademark Office. (Rupp, Karl) (Entered: 04/20/2023)	
3	04/20/2023	NOTICE of Related Cases by Intellectual Ventures I LLC, Intellectual Ventures II LLC (Rupp, Karl) (Entered: 04/20/2023)	
	04/20/2023	Case assigned to Judge Alan D Albright. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (lad) (Entered: 04/21/2023)	
4	04/21/2023	Pro Hac Vice Letter to Paul J. Hayes, Brian Seeve. (lad) (Entered: 04/21/2023)	
5	05/01/2023	REQUEST FOR ISSUANCE OF SUMMONS by Intellectual Ventures I LLC, Intellectual Ventures II LLC. to Zebra Technologies Corporation (Rupp, Karl) (Entered: 05/01/2023)	
6	05/01/2023	Summons Issued as to Zebra Technologies Corporation. (ad3) (Entered: 05/01/2023)	
7	05/02/2023	SUMMONS Returned Executed by Intellectual Ventures I LLC, Intellectual Ventures II LLC. Zebra Technologies Corporation served on 5/2/2023, answer due 5/23/2023. (Rupp, Karl) (Entered: 05/02/2023)	
8	05/04/2023	MOTION to Appear Pro Hac Vice by Karl Anthony Rupp for Brian Seeve (Filing fee \$ 100 receipt number ATXWDC-17399980) by on behalf of Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Attachments: # 1 Proposed Order)(Rupp, Karl) (Entered: 05/04/2023)	
9	05/08/2023	ORDER GRANTING 8 Motion to Appear Pro Hac Vice for Attorney Brian M. Seeve. Attorney added for Intellectual Ventures I LLC, Intellectual Ventures II LLC. Pursuant to our Administrative	

#	Date	Proceeding Text	Source
		Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order, if he/she has not previously done so for a prior case in this District. Registration is managed by the PACER Service Center. Signed by Judge Alan D Albright. (bot2) (Entered: 05/08/2023)	
10	05/11/2023	NOTICE of Rejected Service by Intellectual Ventures I LLC, Intellectual Ventures II LLC (Rupp, Karl) (Entered: 05/11/2023)	
11	05/11/2023	REQUEST FOR ISSUANCE OF SUMMONS by Intellectual Ventures I LLC, Intellectual Ventures II LLC. to Zebra Technologies Corporation (Rupp, Karl) (Entered: 05/11/2023)	
12	05/11/2023	Summons Issued as to Zebra Technologies Corporation. (ad3) (Entered: 05/11/2023)	
13	05/16/2023	SUMMONS Returned Executed by Intellectual Ventures I LLC, Intellectual Ventures II LLC. Zebra Technologies Corporation served on 5/12/2023, answer due 6/2/2023. (Rupp, Karl) (Entered: 05/16/2023)	
	05/23/2023	Parties shall comply with Judge Albright's updated Standing Orders: Order Regarding Court Docket Management and Amended Standing Order for Pretrial Procedure. Both orders are available by clicking the hyperlink. (bot2) (Entered: 05/24/2023)	
14	05/25/2023	NOTICE of Unopposed Extension of Deadline to Respond to Complaint by Intellectual Ventures I LLC, Intellectual Ventures II LLC (Rupp, Karl) (Entered: 05/25/2023)	
	05/25/2023	Reset Deadlines: Zebra Technologies Corporation answer due 7/17/2023. (ad3) (Entered: 05/25/2023)	
15	05/31/2023	RULE 7 DISCLOSURE STATEMENT filed by Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Rupp, Karl) (Entered: 05/31/2023)	
16	06/08/2023	NOTICE of Attorney Appearance by Steven D. Moore on behalf of Zebra Technologies Corporation. Attorney Steven D. Moore added to party Zebra Technologies Corporation(pty:dft) (Moore, Steven) (Entered: 06/08/2023)	
17	06/08/2023	NOTICE of Attorney Appearance by Steven R. Borgman on behalf of Zebra Technologies Corporation. Attorney Steven R. Borgman added to party Zebra Technologies Corporation(pty:dft) (Borgman, Steven) (Entered: 06/08/2023)	
18	06/16/2023	MOTION to Appear Pro Hac Vice by Steven R. Borgman (for Michael T. Morlock) (Filing fee \$ 100 receipt number ATXWDC-17564662) by on behalf of Zebra Technologies Corporation. (Borgman, Steven) (Entered: 06/16/2023)	
19	06/20/2023	ORDER GRANTING 18 Motion to Appear Pro Hac Vice for Attorney Michael T. Morlock. Attorney added for Zebra Technologies Corporation. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order, if he/she has not previously done so for a prior case in this District. Registration is managed by the PACER Service Center. Signed by Judge Alan D Albright. (bot1) (Entered: 06/20/2023)	
20	06/28/2023	NOTICE of Attorney Appearance by April Elizabeth Isaacson on behalf of Zebra Technologies Corporation. Attorney April Elizabeth Isaacson added to party Zebra Technologies Corporation(pty:dft) (Isaacson, April) (Entered: 06/28/2023)	
21	07/17/2023	Defendant's ANSWER to 1 Complaint, for Patent Infringement by Zebra Technologies Corporation.(Borgman, Steven) (Entered: 07/17/2023)	
22	07/17/2023	RULE 7 DISCLOSURE STATEMENT filed by Zebra Technologies	

#	Date	Proceeding Text	Source
		Corporation identifying Other Affiliate Vanguard Group Inc. for Zebra Technologies Corporation. (Borgman, Steven) (Entered: 07/17/2023)	
23	07/24/2023	NOTICE of Case Readiness Status Report by Intellectual Ventures I LLC, Intellectual Ventures II LLC (Rupp, Karl) (Entered: 07/24/2023)	
24	08/22/2023	Unopposed MOTION for Entry of Scheduling Order Deadlines by Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Attachments: # 1 Proposed Order Proposed Scheduling Order)(Rupp, Karl) (Entered: 08/22/2023)	
25	08/23/2023	Pro Hac Vice Letter as to Paul J. Hayes. (ad3) (Entered: 08/23/2023)	
26	08/24/2023	ORDER GRANTING 24 Motion for Entry of Scheduling Order - Markman Hearing set for 4/9/2024 09:00 AM before Judge Alan D Albright, Joinder of Parties due by 5/21/2024, Amended Pleadings due by 7/30/2024, Motions due by 1/14/2025, Pretrial Conference set for 3/18/2025 before Judge Alan D Albright, Jury Selection set for 4/8/2025 before Judge Derek T. Gilliland, Jury Trial set for 4/8/2025 before Judge Alan D Albright. Signed by Judge Alan D Albright. (ad3) (Entered: 08/24/2023)	
27	08/24/2023	MOTION to Appear Pro Hac Vice by Steven R. Borgman for Sarah Y. Kamran (Filing fee \$ 100 receipt number ATXWDC-17808601) by on behalf of Zebra Technologies Corporation. (Borgman, Steven) (Entered: 08/24/2023)	
28	08/28/2023	ORDER GRANTING 27 Motion to Appear Pro Hac Vice for Attorney Sarah Y. Kamran. Attorney added for Zebra Technologies Corporation. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order, if he/she has not previously done so for a prior case in this District. Registration is managed by the PACER Service Center. Signed by Judge Alan D Albright. (bot1) (Entered: 08/28/2023)	
29	10/25/2023	MOTION to Appear Pro Hac Vice by Steven R. Borgman for Andrew N. Saul (Filing fee \$ 100 receipt number ATXWDC-18028035) by on behalf of Zebra Technologies Corporation. (Borgman, Steven) (Entered: 10/25/2023)	
30	10/25/2023	MOTION to Amend/Correct 29 MOTION to Appear Pro Hac Vice by Steven R. Borgman for Andrew N. Saul (Filing fee \$ 100 receipt number ATXWDC-18028035) (corrected to add signature) by Zebra Technologies Corporation. (Borgman, Steven) (Entered: 10/25/2023)	
31	10/27/2023	ORDER GRANTING 30 Motion to Appear Pro Hac Vice for Attorney Andrew N. Saul. Attorney added for Zebra Technologies Corporation. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order, if he/she has not previously done so for a prior case in this District. Registration is managed by the PACER Service Center. Signed by Judge Alan D Albright. (bot2) (Entered: 10/27/2023)	
32	10/27/2023	Opposed Sealed Motion - MOTION TO TRANSFER PURSUANT TO 28 U.S.C. 1404(a) by Zebra Technologies Corporation (Attachments: # 1 Affidavit of Bolen in Support, # 2 Affidavit of Morlock in Support, # 3 Exhibit A to Morlock Decl., # 4 Exhibit B to Morlock Decl., # 5 Exhibit C to Morlock Decl., # 6 Exhibit D to Morlock Decl., # 7 Exhibit E to Morlock Decl., # 8 Exhibit F to Morlock Decl., # 9 Exhibit G to Morlock Decl., # 10 Exhibit H to Morlock Decl.) (Borgman, Steven) (Entered: 10/27/2023)	

#	Date	Proceeding Text	Source
	10/27/2023	DEFICIENCY NOTICE: re 32 Opposed Sealed Motion - MOTION TO TRANSFER PURSUANT TO 28 U.S.C. 1404(a) by Zebra Technologies Corporation. Pursuant to Standing Order in Patent Cases, for all non-dispositive motions, the parties shall submit a proposed Order. The proposed Order shall omit the word "proposed" from the title. Please file an Order using the attachment event and link to Motion. Thank you. (zv) (Entered: 10/27/2023)	
33	10/27/2023	ATTACHMENT - Proposed Order Granting to 32 Opposed Sealed Motion - MOTION TO TRANSFER PURSUANT TO 28 U.S.C. 1404(a) by Zebra Technologies Corporation by Zebra Technologies Corporation. (Borgman, Steven) (Entered: 10/27/2023)	
34	11/01/2023	NOTICE of Venue Discovery by Intellectual Ventures I LLC, Intellectual Ventures II LLC (Rupp, Karl) (Entered: 11/01/2023)	
35	11/03/2023	Redacted Copy of 32 Opposed Sealed Motion - MOTION TO TRANSFER PURSUANT TO 28 U.S.C. 1404(a) by Zebra Technologies Corporation by Zebra Technologies Corporation. (Attachments: # 1 Affidavit of Morlock in Support, # 2 Exhibit A to Morlock Decl, # 3 Exhibit B to Morlock Decl, # 4 Exhibit C to Morlock Decl, # 5 Exhibit D to Morlock Decl, # 6 Exhibit E to Morlock Decl, # 7 Exhibit F to Morlock Decl, # 8 Exhibit G to Morlock Decl, # 9 Exhibit H to Morlock Decl)(Borgman, Steven) (Entered: 11/03/2023)	
36	01/19/2024	Sealed Document: Plaintiffs' Sealed Opposition to Defendant's Motion to Transfer Pursuant to 28 U.S.C. Sec. 1404(a) of 32 Opposed Sealed Motion - MOTION TO TRANSFER PURSUANT TO 28 U.S.C. 1404(a) by Zebra Technologies Corporation by Intellectual Ventures I LLC, Intellectual Ventures II LLC (Attachments: # 1 Declaration of Jonathan DeBlois, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Exhibit N, # 16 Exhibit O, # 17 Exhibit P, # 18 Exhibit Q, # 19 Exhibit R, # 20 Exhibit S, # 21 Exhibit T, # 22 Exhibit U, # 23 Exhibit V, # 24 Exhibit W, # 25 Exhibit X, # 26 Exhibit Y, # 27 Exhibit Z, # 28 Exhibit AA, # 29 Exhibit BB, # 30 Exhibit CC, # 31 Exhibit DD, # 32 Exhibit EE, # 33 Exhibit FF, # 34 Exhibit GG, # 35 Exhibit HH, # 36 Exhibit II, # 37 Exhibit JJ, # 38 Exhibit KK, # 39 Exhibit LL, # 40 Exhibit MM, # 41 Exhibit NN, # 42 Exhibit OO, # 43 Exhibit PP, # 44 Exhibit QQ, # 45 Exhibit RR, # 46 Exhibit SS, # 47 Exhibit TT, # 48 Exhibit UU, # 49 Exhibit VV, # 50 Exhibit WW, # 51 Exhibit XX, # 52 Proposed Order) (Rupp, Karl) (Entered: 01/19/2024)	
37	01/19/2024	DEFICIENCY NOTICE: re 36 Sealed Document,,,,, (ad3) (Entered: 01/19/2024)	
38	01/19/2024	ATTACHMENT Corrected Certificate of Service to 36 Sealed Document,,,,, by Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Rupp, Karl) (Entered: 01/19/2024)	
39	01/22/2024	Unopposed MOTION to Enlarge Page Limitations for Plaintiffs' Brief in Opposition to Defendant's Motion to Transfer Venue re 36 Sealed Document,,,,, by Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Attachments: # 1 Proposed Order)(Rupp, Karl) (Entered: 01/22/2024)	
	01/23/2024	Parties shall comply with Judge Albright's updated Standing Order Governing Proceedings - Patent Cases available by clicking the hyperlink. (bot1) (Entered: 01/25/2024)	
40	02/02/2024	Unopposed MOTION for Leave to Exceed Page Limitation for an Extra Two Pages for its Reply in Support of Its Motion to Transfer	

#	Date	Proceeding Text	Source
		by Zebra Technologies Corporation. (Attachments: # 1 Proposed Order)(Borgman, Steven) (Entered: 02/02/2024)	
41	02/02/2024	Sealed Document: Reply in Support of Defendant's Opposed Motion to Transfer Pursuant to 28 U.S.C. Sec. 1404(a) of 32 Opposed Sealed Motion - MOTION TO TRANSFER PURSUANT TO 28 U.S.C. 1404(a) by Zebra Technologies Corporation by Zebra Technologies Corporation (Attachments: # 1 Declaration of Michael T. Morlock, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C) (Borgman, Steven) (Entered: 02/02/2024)	
42	02/02/2024	Redacted Public Version Reply in Support of Defendant's Opposed Motion to Transfer Pursuant to 28 U.S.C. Sec. 1404(a) of 41 Sealed Document, by Zebra Technologies Corporation. (Attachments: # 1 Declaration of Michael T. Morlock)(Borgman, Steven) (Entered: 02/02/2024)	
	02/05/2024	Text Order GRANTING 40 Motion for Leave to File Excess Pages entered by Judge Alan D Albright. IT IS THEREFORE ORDERED that the page limitation for Defendants Reply in Support of Its Motion to Transfer is enlarged by two (2) pages and the brief will stand as filed. (This is a text-only entry generated by the court. There is no document associated with this entry.) (walc) (Entered: 02/05/2024)	
	02/05/2024	Text Order GRANTING 39 Motion entered by Judge Alan D Albright. IT IS THEREFORE ORDERED that the page limitation for Plaintiffs Brief in Opposition to Defendants Motion to Transfer Venue is enlarged by 3.5 pages and the brief filed at ECF 36 will stand as filed. (This is a text-only entry generated by the court. There is no document associated with this entry.) (walc) (Entered: 02/05/2024)	
	02/05/2024	REMINDER: Any Motion for Leave must have the document you are asking leave of court on attached to the motion as an exhibit along with the proposed order. 40 was granted however, the document should have been attached as an exhibit and not filed separately. (bw) (Entered: 02/05/2024)	
43	02/06/2024	Opening Claim Construction Brief by Zebra Technologies Corporation. (Attachments: # 1 Declaration of Sarah Y. Kamran, # 2 Exhibit A to Kamran Decl., # 3 Exhibit B to Kamran Decl., # 4 Exhibit C to Kamran Decl., # 5 Exhibit D to Kamran Decl., # 6 Exhibit E to Kamran Decl., # 7 Exhibit F to Kamran Decl., # 8 Declaration of Wenke Lee)(Moore, Steven) (Entered: 02/06/2024)	
44	02/07/2024	Redacted Public Version Plaintiffs' Opposition to Defendant's Motion to Transfer Pursuant to 28 U.S.C. Sec. 1404(a) of 36 Sealed Document,,,,, by Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Attachments: # 1 Exhibit A, # 2 Exhibit D, # 3 Exhibit E, # 4 Exhibit G, # 5 Exhibit I, # 6 Exhibit J, # 7 Exhibit K, # 8 Exhibit L, # 9 Exhibit M, # 10 Exhibit P, # 11 Exhibit Q, # 12 Exhibit S, # 13 Exhibit T, # 14 Exhibit U, # 15 Exhibit V, # 16 Exhibit W, # 17 Exhibit X, # 18 Exhibit Y, # 19 Exhibit Z, # 20 Exhibit AA, # 21 Exhibit BB, # 22 Exhibit CC, # 23 Exhibit DD, # 24 Exhibit EE, # 25 Exhibit GG, # 26 Exhibit HH, # 27 Exhibit II, # 28 Exhibit JJ, # 29 Exhibit KK, # 30 Exhibit LL, # 31 Exhibit MM, # 32 Exhibit NN, # 33 Exhibit OO, # 34 Exhibit PP, # 35 Exhibit QQ, # 36 Exhibit RR, # 37 Exhibit SS, # 38 Exhibit TT, # 39 Exhibit UU, # 40 Exhibit VV, # 41 Exhibit XX)(Rupp, Karl) (Entered: 02/07/2024)	
45	02/27/2024	Reply Claim Construction Brief by Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Attachments: # 1 Declaration of Jonathan DeBlois, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C)(Rupp, Karl) (Entered: 02/27/2024)	
46	03/04/2024	STATUS REPORT Status Report Regarding Defendant's Motion	

#	Date	Proceeding Text	Source
		to Transfer by Zebra Technologies Corporation. (Borgman, Steven) (Entered: 03/04/2024)	
47	03/12/2024	Reply Claim Construction Brief by Zebra Technologies Corporation. (Moore, Steven) (Entered: 03/12/2024)	
48	03/18/2024	ORDER RESETTING MARKMAN HEARING. Markman Hearing by Zoom set for 4/10/2024 02:00 PM before Judge Alan D Albright. Signed by Judge Alan D Albright. (zv) (Entered: 03/18/2024)	
49	03/26/2024	Reply Claim Construction Brief by Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Rupp, Karl) (Entered: 03/26/2024)	
50	03/28/2024	NOTICE of Filing Joint Claim Construction Statement by Intellectual Ventures I LLC, Intellectual Ventures II LLC (Rupp, Karl) (Entered: 03/28/2024)	
51	04/05/2024	ORDER RESETTING MARKMAN HEARING. Markman Hearing reset for 5/22/2024 09:00 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (cav) (Entered: 04/05/2024)	
52	04/22/2024	ORDER APPOINTING TECHNICAL ADVISOR. Signed by Judge Alan D Albright. (cav) (Entered: 04/22/2024)	
53	05/21/2024	ORDER RESETTING ZOOM - MARKMAN HEARING set for 5/22/2024 09:30 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (cav) (Entered: 05/21/2024)	
54	05/21/2024	ORDER CANCELLING ZOOM - MARKMAN HEARING re 53 Signed by Judge Alan D Albright. (cav) (Entered: 05/21/2024)	
55	06/20/2024	Agreed MOTION for Confidentiality/Protective Order by Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Attachments: # 1 Proposed Order)(Rupp, Karl) (Entered: 06/20/2024)	
56	07/09/2024	ORDER GRANTING 55 Agreed MOTION for Confidentiality/Protective Order. Signed by Judge Alan D Albright. (zv) (Entered: 07/09/2024)	
57	07/09/2024	Sealed ORDER DENYING DEFENDANTS MOTION TO TRANSFER VENUE re 32 . Signed by Judge Alan D Albright. (zv) (Entered: 07/09/2024)	
58	07/09/2024	CLAIM CONSTRUCTION ORDER. Signed by Judge Alan D Albright. (zv) (Entered: 07/10/2024)	
59	07/09/2024	ORDER TO PAY TECHNICAL ADVISOR. Signed by Judge Alan D Albright. (zv) (Entered: 07/10/2024)	
60	07/29/2024	AMENDED ANSWER to Plaintiffs' 1 Complaint, for Patent Infringement and Jury Demand by Zebra Technologies Corporation. (Borgman, Steven) (Entered: 07/29/2024)	
61	08/08/2024	MOTION to Appear Pro Hac Vice by Karl Anthony Rupp on behalf of Amanda L'Esperance (Filing fee \$ 100 receipt number ATXWDC-19080132) by on behalf of Intellectual Ventures I LLC, Intellectual Ventures II LLC. (Attachments: # 1 Proposed Order)(Rupp, Karl) (Entered: 08/08/2024)	
62	08/09/2024	ORDER GRANTING 61 Motion to Appear Pro Hac Vice for Attorney Amanda LEsperance for Intellectual Ventures I LLC, Amanda LEsperance for Intellectual Ventures II LLC. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Registration is managed by the PACER Service Center. Signed by Judge Alan D Albright. (cav) (Entered: 08/09/2024)	

Patents

Number	Title	Issued	Class	Subclass
7,623,439	Cyclic diversity systems and methods	11/24/2009	370	203

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